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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Debtor.

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Chapter 11

Case No. 19-34054-sgj11

**DEBTOR'S WITNESS AND EXHIBIT LIST FOR NOVEMBER 20, 2020 HEARING
ON MOTIONS FOR PARTIAL SUMMARY JUDGMENT ON THE UBS CLAIM AND
MOTION FOR TEMPORARY ALLOWANCE OF THE UBS CLAIM**

¹ The last four digits of the Debtor's taxpayer identification number are 6725. The headquarters and service address for the Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

Highland Capital Management, L.P., the debtor and debtor-in-possession (the “Debtor”) in the above-captioned chapter 11 case (the “Bankruptcy Case”), submits this witness and exhibit list in connection with the hearing set for 9:30 a.m. on November 20, 2020 (the “Hearing”) on (i) the *Debtor’s Motion for Partial Summary Judgment on Proof of Claim Nos. 190 and 191 of UBS Securities LLC and UBS AG, London Branch* [D.E. 1180], (ii) the *Redeemer Committee of the Highland Crusader Fund and the Crusader Funds’ Motion for Partial Summary Judgment and Joinder in the Debtor’s Motion for Partial Summary Judgment on Proof of Claim Nos. 190 and 191 of UBS AG, London Branch and UBS Securities LLC* [D.E. 1183], and (iii) *UBS’s Motion for Temporary Allowance of Claims for Voting Purposes Pursuant to Federal Rule of Bankruptcy Procedure 3018* [D.E. 1338].

A. Witnesses

1. Any witness identified or called by any other party.
2. Any witness necessary for impeachment or rebuttal purposes.

B. Exhibits

References below to “A__” and “B__” refer to the appendices of exhibits filed by the Debtor [D.E. 1184, D.E. 1403]. References to “RC App.__” refer to the appendix of exhibits filed by the Redeemer Committee and the Crusader Funds [D.E. 1189]. References to “UBS__” and “UBSAG__” refer to the appendices of exhibits [D.E. 1345, D.E. 1346] filed by UBS.

| Exhibit No. | Document Description | Offered | Admitted |
|--------------------|---|----------------|-----------------|
| 1 | A001-122: Proof of Claim No. 190 filed by UBS Securities LLC [D.E. 1184-1] | | |
| 2 | A124-167: <i>UBS’s Omnibus Response to Objections to the UBS Proofs of Claim</i> [D.E. 1184-2] Note: This exhibit was filed under seal at D.E. 1250. | | |
| 3 | A168-176: <i>Order (I) Establishing Bar Dates for Filing Claims and (II) Approving the Form and Manner of Notice Thereof</i> [D.E. 1184-3] | | |

| Exhibit No. | Document Description | Offered | Admitted |
|--------------------|--|----------------|-----------------|
| 4 | A177-179: <i>Order Denying UBS's Motion for Relief from the Automatic Stay to Proceed with State Court Action</i> [D.E. 1184-4] | | |
| 5 | A180-182: Judgment entered on February 22, 2010 in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1184-5] | | |
| 6 | A183-185: <i>UBS v. Highland Capital Mgmt., L.P.</i> , 2010 NY Slip Op 1436 (N.Y. App. Div.) [D.E. 1184-6] | | |
| 7 | A186-193: <i>UBS v. Highland Capital Mgmt., L.P.</i> , 86 A.D.3d 469 (N.Y. App. Div. 2011) [D.E. 1184-7] | | |
| 8 | A194-196: <i>UBS v. Highland Capital Mgmt., L.P.</i> , 93 A.D.3d 489 (N.Y. App. Div. 2012) [D.E. 1184-8] | | |
| 9 | A197-200: <i>UBS v. Highland Capital Mgmt., L.P.</i> , 159 A.D.3d 512 (N.Y. App. Div. 2018) [D.E. 1184-9] | | |
| 10 | A201-259: June 28, 2010 Complaint in <i>UBS v. Highland Capital Management, L.P.</i> , Index No. 650752/2010 (N.Y. Sup. Ct.) [D.E. 1184-10] | | |
| 11 | A261-290: June 2015 Settlement Agreement between UBS, Highland Crusader Offshore Partners, L.P. and Highland Crusader Holding Corporation [D.E. 1184-11] Note: This exhibit was filed under seal at D.E. 1251. | | |
| 12 | A292-321: June 2015 Settlement Agreement between UBS and Highland Credit Strategies Master Fund, L.P. [D.E. 1184-12] Note: This exhibit was filed under seal at D.E. 1252. | | |
| 13 | A322-325: Excerpt from <i>Defendants' Memorandum of Law in Opposition to Plaintiffs' Omnibus Motion in Limine</i> filed on June 13, 2017 in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1184-13] | | |
| 14 | A327-329: June 2015 email chain between counsel for UBS and counsel for Highland Credit Strategies Master Fund, L.P. [D.E. 1184-14] Note: This exhibit was filed under seal at D.E. 1253. | | |
| 15 | A331-362: June 2015 email chain between counsel for UBS and counsel for Highland Crusader Offshore Partners, L.P. and Highland Crusader Holding Corporation [D.E. 1184-15] Note: This exhibit was filed under seal at D.E. 1254. | | |

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| 16 | A364-365: Excerpt from March 8, 2013 report of a UBS designated expert witness (L. Dudney) in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1184-16] Note: This exhibit was filed under seal at D.E. 1255. | | |
| 17 | A366-368: Excerpt from <i>Plaintiffs' Pre-Trial Brief in Support of Bifurcation of Trial</i> filed on April 18, 2018 in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1184-17] | | |
| 18 | A369-377: Excerpt from transcript of May 1, 2018 hearing in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1184-18] | | |
| 19 | A378-382: Excerpt from transcript of October 6, 2020 status conference in the Bankruptcy Case [D.E. 1184-19] | | |
| 20 | B001-003: Note of Issue filed on September 3, 2013 by UBS in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1403] | | |
| 21 | B004-006: Excerpt from transcript of October 6, 2020 status conference in the Bankruptcy Case [D.E. 1403] | | |
| 22 | B007-009: Excerpt from transcript of August 30, 2012 deposition of Clifford Stoops taken by UBS in <i>UBS v. Highland Capital Management, L.P., et al.</i> , Index No. 650097/2009 (N.Y. Sup. Ct.) [D.E. 1403] | | |
| 23 | <i>Declaration of Elissa A. Wagner in Support of Debtor's Motion for Partial Summary Judgment on Proof of Claim Nos. 190 and 191 of UBS Securities LLC and UBS AG, London Branch</i> [D.E. 1185] | | |
| 24 | RC App. 874-892: March 14, 2008 Engagement Letter [D.E. 1189-20] Note: This exhibit was filed under seal at D.E. 1237-5. | | |
| 25 | RC App. 842-873: March 14, 2008 Cash Warehouse Agreement [D.E. 1189-19] Note: This exhibit was filed under seal at D.E. 1237-4. | | |
| 26 | RC App. 893-973: March 14, 2008 Synthetic Warehouse Agreement [D.E. 1189-21] Note: This exhibit was filed under seal at D.E. 1237-6. | | |

| Exhibit No. | Document Description | Offered | Admitted |
|--------------------|--|----------------|-----------------|
| 27 | RC App. 1164-1180: March 20, 2009 Termination, Settlement and Release Agreement [D.E. 1189-25] Note: This exhibit was filed under seal at D.E. 1237-10. | | |
| 28 | UBS551-552: October 2, 2020 Email Chain between R. Feinstein and A. Clubok [D.E. 1345-10] | | |
| 29 | UBS570: October 30, 2020 Email Chain between G. Demo and S. Tomkowiak [D.E. 1345-10] | | |
| 30 | October 8, 2020 Responses and Objections to UBS's First Requests for Production [attached hereto] | | |
| 31 | UBSAG0124-0244: Proof of Claim No. 191 filed by UBS AG, London Branch [D.E. 1346-2] | | |
| 32 | UBSAG0840-0870: January 27, 2009 Letter from Highland Financial Partners, L.P. to Investors [D.E. 1346-9] Note: This exhibit was filed under seal at D.E. 1356-9. | | |
| 33 | UBSAG1047-1067: March 16, 2009 Board Minutes of Highland Financial Partners, L.P. [D.E. 1346-9] Note: This exhibit was filed under seal at D.E. 1356-16. | | |
| | Any document filed or entered in the Bankruptcy Case, including any exhibits thereto. | | |
| | Any exhibit identified or offered by any other party at the Hearing. | | |
| | Any exhibit necessary for impeachment or rebuttal purposes. | | |

The Debtor reserves the right to amend or supplement this witness and exhibit list prior to the Hearing.

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Dated: November 17, 2020.

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-and-

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/s/ Zachery Z. Annable

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